

\*Nathaniel F. Wienecke, of New York, to be an Assistant Secretary of Commerce.

Mr. STEVENS. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

\*National Oceanic and Atmospheric Administration nominations beginning with Wade J. Blake and ending with Christopher S. Moore, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2006.

By Mr. ENZI for the Committee on Health, Education, Labor, and Pensions.

\*Peter Schaumber, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2010, to which position he was appointed during the recess of the Senate from July 29, 2005, to September 1, 2005.

\*Ronald E. Meisburg, of Virginia, to be General Counsel of the National Labor Relations Board for a term of four years, to which position he was appointed during the last recess of the Senate.

\*Wilma B. Liebman, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2011.

\*Timothy Shanahan, of Illinois, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2007.

\*Carmel Borders, of Kentucky, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2008.

\*Donald D. Deshler, of Kansas, to be a Member of the National Institute for Literacy Advisory Board for a term expiring January 30, 2008.

\*Victoria Ray Carlson, of Iowa, to be a Member of the National Council on Disability for a term expiring September 17, 2007.

\*Chad Colley, of Florida, to be a Member of the National Council on Disability for a term expiring September 17, 2007.

\*Lisa Mattheiss, of Tennessee, to be a Member of the National Council on Disability for a term expiring September 17, 2007.

\*John R. Vaughn, of Florida, to be a Member of the National Council on Disability for a term expiring September 17, 2007.

\*Kevin Owen Starr, of California, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2009.

\*Katherine M. B. Berger, of Virginia, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2010.

\*Karen Brosius, of South Carolina, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2011.

\*Ioannis N. Miaoulis, of Massachusetts, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2010.

\*Christina Orr-Cahall, of Florida, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2010.

\*Kenneth R. Weinstein, of the District of Columbia, to be a Member of the National

Council on the Humanities for a term expiring January 26, 2012.

\*Jay Winik, of Maryland, to be a Member of the National Council on the Humanities for a term expiring January 26, 2012.

\*Josiah Bunting III, of Rhode Island, to be a Member of the National Council on the Humanities for a term expiring January 26, 2012.

\*Wilfred M. McClay, of Tennessee, to be a Member of the National Council on the Humanities for a term expiring January 26, 2012.

\*Robert S. Martin, of Texas, to be a Member of the National Council on the Humanities for a term expiring January 26, 2012.

\*Mary Habeck, of Maryland, to be a Member of the National Council on the Humanities for a term expiring January 26, 2012.

\*Karl Hess, of Illinois, to be a Member of the National Science Board, National Science Foundation, for the remainder of the term expiring May 10, 2008.

\*Thomas N. Taylor, of Kansas, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2012.

\*Richard F. Thompson, of California, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2012.

\*Mark R. Abbott, of Oregon, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2012.

\*John T. Bruer, of Missouri, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2012.

\*Patricia D. Galloway, of Washington, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2012.

\*Jose-Marie Griffiths, of Pennsylvania, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2012.

\*Arthur F. Rosenfeld, of Virginia, to be Federal Mediation and Conciliation Director, to which position he was appointed during the last recess of the Senate.

By Mr. ROBERTS for the Select Committee on Intelligence.

\*Randall M. Fort, of Virginia, to be an Assistant Secretary of State (Intelligence and Research).

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DOMENICI:

S. 3773. A bill to increase the number of Federal judgeships, in accordance with recommendations by the Judicial Conference, in districts that have an extraordinarily high immigration caseload; to the Committee on the Judiciary.

By Mr. BOND (for himself, Mr. LOTT, Mr. CHAMBLISS, Mr. STEVENS, Mr. COCHRAN, Mr. BURNS, Mr. HATCH, Mr. SANTORUM, Mr. CORNYN, Mr. DOMENICI, Mr. BENNETT, and Mr. ALEXANDER):

S. 3774. A bill to amend title 18, United States Code, to prohibit the unauthorized

disclosure of classified information; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. COLEMAN, Mr. DEWINE, Mr. FEINGOLD, and Mr. LEAHY):

S. 3775. A bill to amend the Foreign Assistance Act of 1961 to assist countries in sub-Saharan Africa in the effort to achieve internationally recognized goals in the treatment and prevention of HIV/AIDS and other major diseases and the reduction of maternal and child mortality by improving human health care capacity and improving retention of medical health professionals in sub-Saharan Africa, and for other purposes; to the Committee on Foreign Relations.

By Mr. FEINGOLD:

S. 3776. A bill to ensure the provision of high-quality health care coverage for uninsured individuals through State health care initiatives that expand coverage and access and improve quality and efficiency in the health care system; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY:

S. 3777. A bill to amend the Internal Revenue Code of 1986 to ensure a fairer and simpler method of taxing controlled foreign corporations of United States shareholders, to treat certain foreign corporations managed and controlled in the United States as domestic corporations, to codify the economic substance doctrine, and to eliminate the top corporate income tax rate, and for other purposes; to the Committee on Finance.

By Ms. SNOWE:

S. 3778. An original bill to reauthorize and improve the Small Business Act and the Small Business Act of 1958, and for other purposes; from the Committee on Small Business and Entrepreneurship; placed on the calendar.

By Mrs. BOXER:

S. 3779. A bill to provide that if Congress enacts a phased-in increase in the Federal minimum wage as provided for in the Estate Tax and Extension of Tax Relief Act of 2006, the pay increase of Members of Congress will be phased-in over the same time frame; to the Committee on Homeland Security and Governmental Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DEWINE:

S. Res. 546. A resolution supporting the goals and ideals of a National Polycystic Kidney Disease Awareness Week to raise public awareness and understanding of polycystic kidney disease and to foster understanding of the impact polycystic kidney disease has on patients and future generations of their families; to the Committee on Health, Education, Labor, and Pensions.

By Ms. LANDRIEU (for herself and Mr. CRAIG):

S. Res. 547. A resolution recognizing and supporting the successes of the Adoption and Safe Families Act of 1997 in increasing adoption, observing the efforts that the Act has spurred, including National Adoption Day and National Adoption Month, and encouraging citizens of the United States to consider adoption throughout the year; to the Committee on Finance.

## ADDITIONAL COSPONSORS

S. 713

At the request of Mr. ROBERTS, the name of the Senator from Oklahoma

(Mr. COBURN) was added as a cosponsor of S. 713, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 781

At the request of Mr. CRAPO, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 781, a bill to preserve the use and access of pack and saddle stock animals on land administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service on which there is a historical tradition of the use of pack and saddle stock animals, and for other purposes.

S. 912

At the request of Mr. FEINGOLD, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 912, a bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States.

S. 1035

At the request of Mr. INHOFE, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Virginia (Mr. ALLEN), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Minnesota (Mr. COLEMAN), the Senator from South Carolina (Mr. DEMINT), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from Alabama (Mr. SESSIONS), the Senator from Alaska (Mr. STEVENS), the Senator from Louisiana (Mr. VITTER) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 1035, a bill to authorize the presentation of commemorative medals on behalf of Congress to Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th century in recognition of the service of those Native Americans to the United States.

S. 1360

At the request of Mr. SMITH, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1360, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage to designated plan beneficiaries of employees, and for other purposes.

S. 1934

At the request of Mr. SPECTER, the names of the Senator from New York (Mrs. CLINTON) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 1934, a bill to reauthorize the grant program of the Department of Justice for reentry of offenders into the community, to establish a task force on Federal programs and activities relating to the reentry of offenders into the community, and for other purposes.

S. 2010

At the request of Mr. HATCH, the names of the Senator from Indiana

(Mr. BAYH) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 2010, a bill to amend the Social Security Act to enhance the Social Security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes.

S. 2284

At the request of Ms. MIKULSKI, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2284, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 2299

At the request of Ms. LANDRIEU, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 2299, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to restore Federal aid for the repair, restoration, and replacement of private nonprofit educational facilities that are damaged or destroyed by a major disaster.

S. 2491

At the request of Mr. CORNYN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2491, a bill to award a Congressional gold medal to Byron Nelson in recognition of his significant contributions to the game of golf as a player, a teacher, and a commentator.

S. 2503

At the request of Mrs. LINCOLN, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2503, a bill to amend the Internal Revenue Code of 1986 to provide for an extension of the period of limitation to file claims for refunds on account of disability determinations by the Department of Veterans Affairs.

S. 2590

At the request of Mr. COBURN, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 2590, a bill to require full disclosure of all entities and organizations receiving Federal funds.

S. 2674

At the request of Mr. AKAKA, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2674, a bill to amend the Native American Languages Act to provide for the support of Native American language survival schools, and for other purposes.

S. 3500

At the request of Mr. THOMAS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3500, a bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes.

S. 3542

At the request of Mr. DEMINT, his name was added as a cosponsor of S.

3542, a bill to improve maritime and cargo security and for other purposes.

S. 3651

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 3651, a bill to reduce child marriage, and for other purposes.

S. 3656

At the request of Mrs. FEINSTEIN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 3656, a bill to provide additional assistance to combat HIV/AIDS among young people, and for other purposes.

S. 3696

At the request of Mr. BROWNBACK, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 3696, a bill to amend the Revised Statutes of the United States to prevent the use of the legal system in a manner that extorts money from State and local governments, and the Federal Government, and inhibits such governments' constitutional actions under the first, tenth, and fourteenth amendments.

S. 3705

At the request of Mr. KENNEDY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 3705, a bill to amend title XIX of the Social Security Act to improve requirements under the Medicaid program for items and services furnished in or through an educational program or setting to children, including children with developmental, physical, or mental health needs, and for other purposes.

S. 3726

At the request of Mr. SANTORUM, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 3726, a bill to amend the Railroad Retirement Act of 1974 to provide for continued payment of railroad retirement annuities by the Department of the Treasury, and for other purposes.

S. 3769

At the request of Mr. ENSIGN, the names of the Senator from Florida (Mr. MARTINEZ), the Senator from Texas (Mrs. HUTCHISON) and the Senator from Virginia (Mr. ALLEN) were added as cosponsors of S. 3769, a bill to encourage multilateral cooperation and authorize a program of assistance to facilitate a peaceful transition in Cuba, and for other purposes.

S. CON. RES. 72

At the request of Mr. INOUE, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. Con. Res. 72, a concurrent resolution requesting the President to issue a proclamation annually calling upon the people of the United States to observe Global Family Day, One Day of Peace and Sharing, and for other purposes.

S. CON. RES. 84

At the request of Mr. KYL, the name of the Senator from Arizona (Mr.

MCCAIN) was added as a cosponsor of S. Con. Res. 84, a concurrent resolution expressing the sense of Congress regarding a free trade agreement between the United States and Taiwan.

S. CON. RES. 113

At the request of Mr. SUNUNU, his name was added as a cosponsor of S. Con. Res. 113, a concurrent resolution congratulating the Magen David Adom Society in Israel for achieving full membership in the International Red Cross and Red Crescent Movement, and for other purposes.

AMENDMENT NO. 4194

At the request of Mr. CARPER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 4194 intended to be proposed to H.R. 8, a bill to make the repeal of the estate tax permanent.

AMENDMENT NO. 4761

At the request of Mr. LOTT, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 4761 intended to be proposed to H.R. 5631, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOMENICI:

S. 3773. A bill to increase the number of Federal judgeships, in accordance with recommendations by the Judicial Conference, in districts that have an extraordinarily high immigration caseload; to the Committee on the Judiciary.

Mr. DOMENICI. Mr. President, I rise today with Senators KYL and CORNYN to introduce legislation that creates the new Federal judgeships recommended by the 2005 Judicial Conference for our U.S. district courts that have a serious overload of immigration cases.

I believe it is imperative to equip all of our Federal agencies with the assets they need to secure our borders and enforce our immigration laws. That includes equipping our U.S. district courts with enough judges to handle the criminal immigration cases that appear on their dockets. The immigration reform bill passed by the Senate in May recognizes that with increased border security and immigration enforcement there will be increased prosecutions, and the bill calls for more immigration judges to handle those prosecutions. But the bill fails to recognize that repeat immigration law violators can be charged with a felony and tried in U.S. district court. We need to increase the number of judges in our district courts that handle such cases, particularly in those districts that are already overwhelmed with immigration cases.

The legislation I am proposing creates eleven new Federal judgeships, as recommended by the Judicial Conference, in the U.S. district courts in

which at least 50 percent of their criminal cases are immigration cases. The bill affects four districts, all of which border Mexico. In fiscal year 2004, the Western District of Texas had 5599 criminal case filings, 3,688 of those cases, over 65 percent, dealt with immigration. The District Court of Arizona had 4,007 criminal filings, of which 2,404 cases, or 59 percent, were immigration filings. The Southern District of California has 2,206 immigration filings, 64 percent of their 3,400 total criminal filings. Lastly, the District of New Mexico had 2,497 criminal filings, 60 percent of them, 1,502 cases, were immigration cases.

Based on these caseloads, I think we should already be giving these districts new judgeships. But to increase our border security and immigration enforcement efforts without equipping these courts to handle the even larger immigration caseloads that they are expected to face would be tantamount to willful negligence.

The New Mexico District Chief Judge, Martha Vazquez, wrote me a letter in May about the situation the New Mexico District faces. Judge Vazquez wrote:

As it is, the burden on Article III Judges in this District is considerable. This District ranks first among all districts in criminal filings per judgeship: 405 criminal filings compared to the national average of 87. As in all federal districts along the southwest border, the majority of cases filed in this District relate to immigration offenses under United States Code, Title 8 and drug offenses arising under Title 21. Immigration and drug cases account for eighty-five percent of the caseload in the District of New Mexico. . . In fiscal year 1997, there were 240 immigration felony filings in the District of New Mexico. By fiscal year 2005, the number of immigration felony filings increased to 1,826, which is an increase of 661 percent. . . Increasing the number of Immigration Judges will do nothing to reduce the increasing caseload in the border states' federal courts.

The Albuquerque Tribune has also documented the burden immigration cases put on district courts. An April 17 article entitled "Judges See Ripple Effect of Policy on Immigration," stated:

U.S. District Chief Judge Martha Vazquez of Santa Fe oversees a court that faces a rising caseload from illegal border crossings and related crime. And help from Washington is by no means certain. . . From Sept. 30, 1999 to Sept. 30, 2004 (the end of the fiscal year), the caseload in the New Mexico federal district court increased 57.5 percent, from 2,804 to 4,416. In the 2004 fiscal year alone, 2,126 felony cases were heard, almost half of all cases in the entire 10th Circuit, which includes Colorado, Kansas, Oklahoma, Utah and Wyoming. Most typical immigration cases go before an immigration judge, and the subjects are deported. But people deported once and caught crossing illegally again can be charged with a felony. And that brings the defendant into federal district court. Those are the cases driving up New Mexico's caseload. . . Some days as many as 90 defendants crowd the courtroom in Las Cruces. . . The same problems are afflicting federal border courts in Arizona, California, and Texas.

Similar problems were documented in a May 23 Reuters article entitled

"Bush Border Patrol Plan to Pressure Courts" which said:

President George W. Bush's plan to send thousands of National Guard troops to the U.S.-Mexico border could spark a surge in immigration cases and U.S. courts are ill prepared to handle them. . . Even without the stepped-up security at the border, federal courts in southern California, Arizona, New Mexico and Texas have been overburdened. Carelli [a spokesman for U.S. federal courts] said those five judicial districts, out of 94 nationwide, account for 34 percent of all criminal cases moving through U.S. courts. . . Most immigrants caught crossing illegally are ordered out of the country without prosecution. But that still leaves a growing pile of cases involving illegals who are being prosecuted after being caught multiple times or those accused of other crimes. . . Nationwide, each U.S. judge handles an average of 87 cases a year. But along the southern border, even before Bush's plan moves forward, the average is around 300 per judge, Carelli said.

Mr. President, the U.S. Congress needs to address the overwhelming immigration caseload in our southwestern border U.S. district courts. The bill I am filing today with Senators KYL and CORNYN does just that by authorizing the nine permanent and two temporary judgeships recommended by the 2005 Judicial Conference for the four U.S. districts in which the immigration caseload totals more than fifty percent of those districts' total criminal caseload.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3773

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. ADDITIONAL DISTRICT COURT JUDGESHIPS.

The President shall appoint, by and with the advice and consent of the Senate, such additional district court judges as are necessary to carry out the 2005 recommendations of the Judicial Conference of the United States for district courts in which the criminal immigration filings totaled more than 50 percent of all criminal filings for the 12-month period ending September 30, 2004.

By Mr. BOND (for himself, Mr. LOTT, Mr. CHAMBLISS, Mr. STEVENS, Mr. COCHRAN, Mr. BURNS, Mr. HATCH, Mr. SANTORUM, Mr. CORNYN, Mr. DOMENICI, Mr. BENNETT, and Mr. ALEXANDER):

S. 3774. A bill to amend title 18, United States Code, to prohibit the unauthorized disclosure of classified information; to the Committee on the Judiciary.

Mr. BOND. Mr. President, I rise to talk about a related area of security. The Defense appropriations bill is extremely important, but I believe that there is another matter we should be considering. I appreciate the courtesy of the managers of the bill for allowing me to present this.

This is legislation that was passed by the Intelligence Committees in 2000. It